## Attorney Docket No. 0756-7243 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	)	Group Art Unit: 2815
Kazuo NISHI et al.	)	Examiner: Matthew Warren
Serial No. 10/749,552	)	
Filed: January 2, 2004	)	RECEIVED
For: SEMICONDUCTOR DEVICE AND	)	JUN 13 2008
METHOD OF MANUFACTURING	)	OFFICE OF PETITIONS
THEREOF	)	OFFICE OF

## PETITION TO WITHDRAW FROM ISSUE

Honorable Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions that the subject application be withdrawn from issue to permit consideration of an Information Disclosure Statement under 37 CFR 1.97 (submitted herewith) and a Request for Continued Examination (RCE) (also submitted herewith).

Also submitted herewith is the requisite fee of \$130.00 set forth in 37 CFR 1.17(i).

In view of the foregoing, it is urged that this petition is in order and, accordingly, a prompt grant thereof is requested.

The Commissioner is hereby authorized to charge any fees which may be further required in this application, except the issue fee, or credit any overpayment to Deposit Account No. 50-2280, under the above order number. A <u>duplicate</u> of this sheet is

attached. 06/16/2008 CKHLOK 00000020 10749552

01 FC:1464

130.00 GP

Respectfully submitted,

Eric J. Robinson

Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.

PMB 955

21010 Southbank Street

Potomac Falls, Virginia 20165

(571) 434-6789

		<u> </u>		PTO	/SB/21 (08-00)	iD.	
TRANSMITTAL FORM		Application Number	10/749,552		BECEIVE	]	
		Filing Date	January 2,			3 2008	
		First Named Inventor	Kazuo NISI	-H et al.	JUN 137	TONG	
		Group Art Unit	2815		OF P	<b>FELILIOIA</b>	
(to be used for all correspond	dence after initial filing)	Examiner Name	M. Warren		JFFICE O.	]	
Total Number of Pages in This S		Attorney Docket Number	or 0756-7243			_	
	ENCLOSU	RES (check all that apply	)			]	
Fee Transmittal Form  Fee Attached  Declaration (for an Antometric Final)  After Final  Aftidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Assignman (for an Antometric Final)  Declaration Previous  Petition Provision  Provision  Change Address  Termination Request		ation and Power of ey ing-related Papers n to Withdraw from Issue n to Convert to a ional Application of Attorney, Revocation ie of Correspondence iss nal Disclaimer est for Refund umber of CD(s)	After Allowance Communication to Group  Appeal Communication to Board of Appeals and Interferences  Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  Other Enclosures  1. Request for Continued Examination  2.  3.  4.  5.  6.  hereby authorized to charge any additional overpayments to Deposit Account No. 50-ed docket number.				
	SIGNATURE OF APP	LICANT, ATTORNEY, C	R AGENT		<del> · · · · · · · · · · · · · · · · · ·</del>	4	
Firm or Individual name	Eric J. Robinson, Reg. No. 38,285 Robinson Intellectual Property Law Office, P.C. PMB 955 21010 Southbank Street Potomac Falls, VA 20165						
Signature	5	<i>S (</i>					
Date	June 13, 2008	June 13, 2008					
	CERTIF	FICATE OF MAILING					
I hereby certify that this corresp class mail in an envelope addre indicated below.	ondence is being deposited ssed to: Commissioner for	d with the United States Pos Patents, P.O. Box 1450, A	tal Service with su exandria, VA 2231	ifficient posta 13-1450 on th	ge as first ne date		
Type or printed name	Ì	•					
Signature			Date			7	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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	Complete if Known					
FEE TRANSMITTAL		Application Number	10/749,552			
FEE TRANSMITTAL	Filing Date	January 2, 2004	RECEIVED			
FOR FY 2007  Effective 09/30/2007. Patent fees are subject to annual revision.  Applicant Claims small entity status. See 37 CFR 1.27.		First Named Inventor	Kazuo NISHI et al.	MEDELVED		
		Examiner Name	Matthew E. Warren	1 0 0000		
		Group Art Unit	2815	JUN 13 2008		
OTAL AMOUNT OF PAYMENT (\$)	940.00	Attorney Docket No.	0756-7243	OFFICE OF PETITIONS		

☐ Applicant Claims small entity status. See 37 CFR 1.27.		Group Art Unit			2815	JUN 13 ZUUU		
TOTAL AMOUNT OF PAYMENT (\$) 940.00		Attorney Docket No.		lo.	0756-7243	OFFICE OF PETITIONS		
METHOD OF PAYMENT					FEE CALCULATION (continu	ed)		
1.   The Commissioner is hereby authorized to charge indicated		3. ADDI	TIONA:	L FEES				
fees and credit any overpayments to:			rge	Small				
Deposit Account 50-2280			tity e Fee Code	Entity Fee (\$)	Fee Description	Fee Paid		
Number		1051 130	2051	65 8	Surcharge – late filing fee or oath			
		1052 50			Surcharge – late provisional filing fee or	cover sheet		
Robinson Intellectual Property Law Office		1053 130	1053	130 1	Non-English specification			
		1812 2,520	1812	2,520 F	For filing a request for ex parte reexamin	ation		
Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and		1804 920*	1804	920* F	Requesting publication of SIR prior to Ex	kaminer action		
credit overpayments		1805 1,840	1805	1,840* F	Requesting publication of SIR after Exan	niner action		
Applicant claims small entity status.  See 37 CFR 1.27		1251 120	2251	60 E	Extension for reply within first month			
2. E Payment Enclosed:		1252 460	2252	230 E	Extension for reply within second month			
★ Check		1253 1,050	2253	525 E	Extension for reply within third month			
· Order		1254 1,640	2254	820 E	Extension for reply within fourth month			
FEE CALCULATION		1255 2,230	2255	1,115 E	Extension for reply within fifth month			
1. BASIC FILING FEE		1401 510	2401	255 N	Notice of Appeal			
Large Entity Small Entity Fee Fee Fee Fee Description		1402 510	2402	255 F	Filing a brief in support of an appeal			
Fee Fee Fee Fee Description Code (\$) Code (\$) Fee Pai	d	1403 1,030	2403	515 F	Request for oral hearing			
1001 310 2001 155 Utility filing fee	7	1451 1,510	1451	1,510 F	Petition to institute a public use proceeding	ng		
1111 510 2111 255 Search fee		1452 510	2452	255 F	Petition to revive – unavoidable			
1311 210 2311 105 Examination fee		1453 1,540	2453	770 F	Petition to revive – unintentional			
Over 100 Sheets/260 for each additional 50	_	1501 1,440			Utility issue fee (or reissue)			
	┚┃	1502 820			Design issue fee			
	- I	1503 1,130			Plant issue fee	<u> </u>		
SUBTOTAL (1)		1462 400 1463 200			Petitions, Group I Petition, Group II	\$130.00		
		1464 130			Petitions, Group III			
2. EXTRA CLAIM FEES Fee from		1807 50 1806 180			Processing fee under 37 CR 1.17(q) Submission of Information Disclosure St	mt		
Total Claims Extra Claims below Fee Pa	id	8021 40		40 F	Recording each patent assignment per pro			
Independent -3** = X \$210 = Claims		1809 810	2809	405 F	number of properties) Filing a submission after final rejection (3 § 1.129(a))	37 CFR		
Multiple Dependent =		1810 810	2810	405 F	For each additional invention to be exami § 1.129(b))	ined (37 CFR		
Large Entity Small Entity Fee Fee Fee Fee Fee Description		1801 810	2801	405 F	Request for Continued Examination (RC)	E) \$810.00		
Code (\$) Code (\$)		1802 900	1802		Request for expedited examination of a dapplication	esign		
1202 50 2202 25 Claims in excess of 20		Other fee (s	pecify)_					
1201 210 2201 105 Independent claims in excess of 3	id.							
1203 370 2203 185 Multiple dependent claim, if not pr	1	* Reduced b	y Basic I	iling Fee	Paid SUBTOTAL (3)	\$ 940.00		
1204 210 2204 105 ** Reissue independent claims over	7							
1205 50 2205 25 ** Reissue claims in excess of 20 over original patent	O and  CERTIFICATE OF MAILING  I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria,							
SUBTOTAL (2) (\$)		VA 22313-14			•			
**or number previously paid, if greater; For Reissues, see above								

SUBMITTED BY				Complete (if	applicable)
Name (Print/Type)	Eric J. Robinson	Registration No. (Attorney/Agent)	38,285	Telephone	(571) 434-6789
Signature	200			Date	June 13, 2008

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known 10/749,552 Application Number FEE TRANSMITTAL January 2, 2004 Filing Date Kazuo NISHI et al. **FOR FY 2007** First Named Inventor Matthew E. Warren **Examiner Name** Effective 09/30/2007. Patent fees are subject to annual revision. 2815 ☐ Applicant Claims small entity status. See 37 CFR 1.27. Group Art Unit 0756-7243 (\$) 940.00 TOTAL AMOUNT OF PAYMENT Attorney Docket No. FEE CALCULATION (continued METHOD OF PAYMENT 3. ADDITIONAL FEES 1. The Commissioner is hereby authorized to charge indicated Small fees and credit any overpayments to: Large Entity Entity Fee Fee Fee Fee Deposit Fee Paid Fee Description 50-2280 Code **(S)** Code **(S)** Account Number 1051 130 2051 65 Surcharge - late filing fee or oath 25 Surcharge - late provisional filing fee or cover sheet 1052 50 2052 Deposit Robinson Intellectual Property 130 Non-English specification Account 1053 130 1053 Law Office Name 2,520 For filing a request for ex parte reexamination 1812 2,520 1812  $\blacksquare$ Charge Any Additional Fee Required 920\* Requesting publication of SIR prior to Examiner action 1804 920\* 1804 Under 37 CFR 1.16 and 1.17 and 1805 1 840\* 1805 1,840\* Requesting publication of SIR after Examiner action credit overpayments 60 Extension for reply within first month 1251 120 2251 Applicant claims small entity status. See 37 CFR 1.27 230 Extension for reply within second month 1252 460 2252 2. 🗵 Payment Enclosed: 2253 525 Extension for reply within third month 1253 1,050 Other Check Credit Card Money 820 Extension for reply within fourth month 1254 1,640 2254 Order 1.115 Extension for reply within fifth month 1255 2,230 2255 FEE CALCULATION 2401 255 Notice of Appeal 1401 510 1. BASIC FILING FEE 255 Filing a brief in support of an appeal 1402 510 2402 Large Entity Small Entity Fee Fee Fee Description 515 Request for oral hearing 1403 1,030 2403 Fee Paid Code Code (\$) (\$) 1.510 Petition to institute a public use proceeding 1451 1,510 1451 Utility filing fee 1001 310 2001 155 255 Petition to revive - unavoidable 2452 1452 510 2111 255 Search fee 1111 510 Petition to revive - unintentional 1453 1.540 2453 Examination fee 2311 105 1311 210 720 Utility issue fee (or reissue) 2501 1501 1.440 Over 100 Sheets/260 for each additional 50 1502 820 2502 410 Design issue fee 1,130 1503 2503 \$130.00 400 1462 400 Petitions, Group 1 1462 Petition, Group II 1463 200 1463 200 SUBTOTAL (1) 130 Petitions, Group III 1464 130 1464 Processing fee under 37 CR 1.17(q) 2. EXTRA CLAIM FEES 1807 50 1807 Submission of Information Disclosure Stmt 1806 180 1806 180 Fee from Extra Claims below Recording each patent assignment per property (times 8021 40 8021 **Total Claims** | X | \$50 number of properties) 405 Filing a submission after final rejection (37 CFR 1809 810 2809 Independent § 1.129(a)) Claims 405 For each additional invention to be examined (37 CFR 1810 810 2810 Multiple Dependent § 1.129(b)) 405 Request for Continued Examination (RCE) \$810.00 2801 Large Entity 1801 810 **Small Entity** Fee Description Fee Fee Fee Fee 1802 900 1802 900 Request for expedited examination of a design Code (\$) Code **(\$)** 1202 50 2202 25 Claims in excess of 20 Other fee (specify) 1201 210 2201 105 Independent claims in excess of 3 Multiple dependent claim, if not paid \$ 940.00 1203 370 2203 185 \* Reduced by Basic Filing Fee Paid SUBTOTAL (3) \*\* Reissue independent claims over 1204 210 2204 105 original patent CERTIFICATE OF MAILING 1205 2205 \*\* Reissue claims in excess of 20 and I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, over original patent SUBTOTAL (2) \*\*or number previously paid, if greater; For Reissues, see above Complete (if applicable) SUBMITTED BY (571) 434-6789 Registration No. 38,285 Eric J. Robinson Telephone

(Attorney/Agent)

Date

June 13, 2008

Name (Print/Type)

Signature

## Attorney Docket No. 0756-7243 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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